E/2018/22
E/C.12/2017/3

Committee on Economic, Social and Cultural Rights

Report on the sixtieth, sixty-first and sixty-second sessions

(20–24 February 2017, 29 May–23 June 2017, 18 September–6 October 2017)

Economic and Social Council

Official Records, 2018

Supplement No. 2

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Note

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E/2018/22
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Chapter I
Organizational and other matters

A. States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol

1. As at 6 October 2017, the closing date of the sixty-second session of the Committee, 166 States were parties to the International Covenant on Economic, Social and Cultural Rights. The Covenant was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. It entered into force on 3 January 1976, in accordance with the provisions of its article 27. The Optional Protocol to the Covenant was adopted by the General Assembly in resolution 63/117 on 10 December 2008 and was opened for signature and ratification in New York on 24 September 2009. It entered into force on 5 May 2013, three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification. The following 22 States have ratified the Optional Protocol: Argentina, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Cabo Verde, Central African Republic, Costa Rica, Ecuador, El Salvador, Finland, France, Gabon, Italy, Luxembourg, Mongolia, Montenegro, Niger, Portugal, San Marino, Slovakia, Spain and Uruguay.

B. Sessions and agendas

2. In 2017, the Committee held three sessions: its sixtieth session from 20 to 24 February; its sixty-first session from 29 May to 23 June; and its sixty-second session from 18 September to 6 October. All three sessions were held at the United Nations Office at Geneva. The agenda for each session is contained in E/C.12/60/1, E/C.12/61/1 and E/C.12/62/1, respectively.

3. An account of the deliberations of the Committee at its sixtieth, sixty-first and sixty-second sessions is contained in the relevant summary records (E/C.12/2017/SR.1, 3–4, 7, 10, 11–12, 14–19, 22, 24–27, 29–32, 48–50, 52–57, 59–61, 66–67, 71, 78).

C. Membership and attendance

4. Three new members of the Committee were welcomed at the start of the sixtieth session: Laura Craciunean-Tatu, Sandra Liebenberg and Michael Windfuhr.

5. The newly elected members of the Committee made their solemn declaration on 20 February 2017, in accordance with rule 13 of the rules of procedure of the Committee.

6. At the opening of the sixtieth session, under item 1, the Committee proceeded with the election of officers as follows:

Chair:	Virginia **Bras Gomes**
Vice-Chairs:	Mohammed **Abdel-Moneim** Heisoo **Shin** Zdzislaw **Kedzia**
Rapporteur:	Lydia **Ravenberg**

7. All members of the Committee attended the sixtieth, sixty-first and sixty-second sessions.

8. Specialized agencies and United Nations organs and departments submitted information and observed the dialogues held during the sixtieth, sixty-first and sixty-second sessions.

9. The following non-governmental organizations (NGOs) in consultative status with the Economic and Social Council were represented by observers:

At the sixtieth session:	Centre Europe-Tiers Monde — World Centre, International Corporate Accountability Roundtable, International Network for Economic, Social and Cultural Rights, Franciscans International, International Trade Union Confederation, Inter-press Service, Maloca, NGO Forum for Health, Plataforma Internacional contra la Impunidad, Project on Organizing, Development, Education, and Research
Special consultative status or roster:	Amnesty International, Asociacion de Antiguas Alumnas del Colegio Madres Irlandesas, Center for International Environmental Law, Centre de Documentation de Recherche et d'Information des Peuples Autochtones (DOCIP), Centro de Estudios Legales y Sociales, Conectas Direitos Humanos, FIAN International, Geneva Human Rights, Global Initiative for Economic, Social and Cultural Rights, International Commission of Jurists, International Service for Human Rights, International Women's Rights Action Watch Asia Pacific, Réseau International des Droits Humains
At the sixty-first session:	Amnesty International, Centre for Social Justice, Global Detention Project, Global Human Rights Clinic, International Dalit Solidarity Network, Kanuri Development Association, Mannar Women's Development Federation, World Alliance for Citizen Participation (CIVICUS)
Special consultative status or roster:	Amnesty International, FIAN, Global Initiative for Economic, Social and Cultural Rights, Halley Movement, Human Rights Council of Australia, Institute of International Social Development, International Commission of Jurists, International Lesbian and Gay Association, International Service for Human Rights, IPAS, Prajachaitanya Yuvajana Sangam, Society for Threatened Peoples, WaterLex, Womankind Worldwide
At the sixty-second session:	Advocates for Public Interest Law, Construire Ensemble la Politique de l'Enfance
Special consultative status or roster:	Amnesty International, Association Miraisme International, Canadian HIV/AIDS Legal Network, ELSA, FIAN (Colombia), Global Initiative for Economic, Social and Cultural Rights, International Association of Democratic Lawyers, International Commission of Jurists, International Service for Human Rights, People's Solidarity for Participatory Democracy, Promo-LEX Association

10. Other national and international NGOs, coalitions of national NGOs and other organizations were represented by observers at the three sessions, as follows:

(a) Sixtieth session: Aequitas Legal Consultants, Clifford Chance, Council of Morocco, Friedrich-Ebert-Stiftung, Global Coalition for Social Protection Floors, Habitant International Coalition, IDA, ISER, Leigh Day, National Human Rights, OXFAM, ROTAB in Niger;

(b) Sixty-first session: All Ceylon United Employees Congress, Amnesty International Netherlands CAPTE Paysandú, Center for International Human Rights, Dutch Section of ICJ, Equal Ground Sri Lanka, Human rights council Balochistan, Law and Society Trust, Movement for land and agriculture reform, National Fisheries Solidarity Movement, Right to Education Initiative, Standup Movement Lanka, Youth Social Services Organisation, Suriya Women's Development Centre;

(c) Sixty-second session: Phoenix PLUS, Coordinating Committee For the Prevention and Control of HIV/AIDS in Russia, "Coming out" LGBT Group, Regional Public Fund for assistance "New Life", Moscow LGBT group STIMUL, Open Health Institute, Korean Lawyers for Public Interest and Human Rights, Aktion Gen-Klage, Andrey Rylkov Foundation for health and social justice, Lutheran World Federation, World Service — Colombia Programme, Silver Rose, Plataforma Colombiana de Derechos Humanos, Democracia y Desarrollo, Corporación Grupo Semillas, Aktion Gen-Klage, ELSA, Corporación Desarrollo Solidario, CCAJAR, Comité Ambiental, Center of Legal Assistance for Persons with Disabilities, Gonggam Human Rights Law Foundation, Korean Confederation of Trade Unions, OFPC, KTNC Watch, Anti-discrimination Centre Memorial Brussels, Transgender Legal Defense Project, Korean Metal Workers' Union, Red Internacional de Derechos Humanos, Center for International Human Rights, Northwestern Pritzker School of Law, National Youth Council of Moldova, Enda America Latina Colombia, Myski local civic organization, DEJUSTICIA, National Association Community Mediators, Fundación Paso a Paso A.C., Association of Female Lawyers, Constituyentes exiliados politicos perseguidos por el Estado Colombiano, Russian LGBT Network, IDOM, NGO Project April, Pain pour le prochain, Right to Education Initiative.

D. Pre-sessional working group

11. The Economic and Social Council, in its resolution 1988/4 of 24 May 1988, authorized the establishment of a pre-sessional working group composed of five members of the Committee, to be appointed by the Chair of the Committee to meet for up to one week prior to each session. By its decision 1990/252 of 25 May 1990, the Council authorized the meetings of the working group to be held one to three months prior to a session of the Committee.

12. The Chair of the Committee, in consultation with the members of the Bureau, designated the following individuals as members of the pre-sessional working group:

Sixtieth pre-sessional working group

Mohammed **Abdel-Moneim**

Shiqui **Chen**

Zdzislaw **Kedzia**

Mikel **Mancisidor**

Renato **Zerbini Ribeiro Leão** (Chair)

Sixty-first pre-sessional working group

Aslan **Abashidze**

Clément **Atangana**

Chandrashekhar **Dasgupta**

Olivier **De Schutter** (Chair)

Rodrigo **Uprimny**

13. The pre-sessional working group held its meetings at the United Nations Office at Geneva from 27 February to 3 March 2017 and from 9 to 13 October 2017. The working group identified additional issues that could be addressed to the reporting States, and lists of such questions were transmitted to the permanent missions of the States concerned.

E. Organization of work

14. In accordance with rule 8 of its rules of procedure, the Committee considered the provisional agenda and tentative programme of work for its sixtieth, sixty-first and sixty-second sessions at the first meeting of each session and approved them, as amended, during consideration.

F. Next sessions

15. In accordance with the established schedule, taking into account the meeting time allocated pursuant to General Assembly resolution 68/268, the sixty-third and sixty-fourth sessions will be held at the United Nations Office at Geneva from 12 to 29 March and from 24 September to 12 October 2018, respectively (to be confirmed).

G. Reports of States parties scheduled for consideration by the Committee at its upcoming sessions

16. In accordance with rule 61, paragraph 2, of the rules of procedure of the Committee, the reports submitted by States under article 16 of the Covenant are, in principle, scheduled for consideration in the order in which they were received by the Secretary-General. As at 6 October 2017, the closing date of the sixty-second session, the Committee had received the reports below, which it decided to consider at its sixty-third and sixty-fourth sessions.

17. The report of Mexico, postponed owing to unforeseen circumstances, is also tentatively scheduled for consideration at the sixty-third session.

Sixty-third session (12–29 March 2018)	
Bangladesh	E/C.12/BGD/1
Central African Republic	E/C.12/CAF/1
Mexico	E/C.12/MEX/5-6
New Zealand	E/C.12/NZL/4
Niger	E/C.12/NER/1
Spain	E/C.12/ESP/6

Sixty-fourth session (17 September–5 October 2018)	
Argentina	E/C.12/ARG/4
Bulgaria	Expected submission November 2017
Germany	E/C.12/DEU/6
South Africa	E/C.12/ZAF/1
Turkmenistan	E/C.12/TKM/2

Future sessions	
Estonia	E/C.12/EST/3
Kazakhstan	E/C.12/KAZ/2
Mauritius	E/C.12/MUS/5

Future sessions	
Slovakia	E/C.12/SVK/3
Yemen	E/C.12/YEM/3

18. The Committee decided to look into the situation of long-overdue reports. At present, 27 States parties have initial reports overdue for submission to the Committee. Of those reports, 20 are more than 10 years overdue: Cabo Verde, the Congo, Côte d'Ivoire, Dominica, Eritrea, Equatorial Guinea, Ghana, Grenada, Guinea, Guinea-Bissau, Lesotho, Liberia, Malawi, Mali, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Somalia, Swaziland and Timor-Leste.

19. As at 6 October 2017, nine reports had been submitted and were pending consideration by the Committee.

20. Further to the piloting of the simplified reporting procedure, the Committee has decided to schedule the reports to be submitted under this procedure in accordance with the expected submission dates.

Chapter II
Overview of the working methods of the Committee

21. The present chapter is aimed at providing a concise and up-to-date overview and explanation of the way in which the Committee carries out its various functions, including information about recent developments in its working methods. It is also intended to provide information on the impact of measures adopted by the Committee to address the backlog and to make the current practice of the Committee more transparent and readily accessible by States parties and others interested in the implementation of the Covenant.

22. The Committee has been making a concerted effort to devise appropriate working methods that adequately reflect the nature of the tasks with which it has been entrusted. In the course of its 62 sessions it has sought to modify and develop those methods in the light of its experience and to respond to developments regarding the functioning of the treaty body system as a whole. Those methods will continue to evolve taking into account General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, adopted on 9 April 2014.

A. Impact of measures adopted to address the backlog of reports pending consideration

23. Additional meeting time granted to the Committee in 2013 and 2014 and measures adopted by the Committee have resulted in the continued reduction of the backlog, as reported in 2015. In addition, following the adoption of General Assembly resolution 68/268, the Committee now also has additional meeting time for the period 2015–2017. During 2017, the Committee considered 10 State party reports, of which 1 was an initial report.

24. At the time of the adoption of the present report, the Committee had completely resolved the backlog of reports pending consideration. This is, however, also owing to the low rate of submission of reports by States parties during 2016 and 2017. While the Committee has addressed the backlog, it cannot anticipate with certainty the number of reports that will be submitted annually and the backlog that may result therefrom as of 2018.

B. General reporting guidelines

25. The Committee attaches great importance to the need to structure the reporting process and the dialogue with the representatives of each State party in such a way as to

ensure that the issues of principal concern regarding the implementation of the Covenant are dealt with in a methodical and informative manner. For this purpose, in 2008 the Committee adopted revised reporting guidelines on treaty-specific documents to be submitted by States parties under articles 16 and 17 of the Covenant,[1] with a view to assisting States parties in the reporting process and improving the effectiveness of the monitoring system as a whole, particularly by emphasizing the need for States parties to report on the impact of the measures taken to respect, protect and fulfil the rights enshrined in the Covenant.

C. Examination of State party reports

1. Work of the pre-sessional working group

26. A pre-sessional working group meets for five days prior to each session of the Committee. It is composed of five members of the Committee nominated by the Chair, taking into account the desirability of a balanced geographical distribution and other relevant factors.

27. The main purpose of the working group is to identify in advance additional questions to assist the Committee in preparing for the dialogue with the representatives of the reporting States. The aim is to improve the efficiency of the system and to ease the task of the representatives of States parties by facilitating more focused preparations for the discussion.[2]

28. With regard to its working methods, the working group, in the interest of efficiency, allocates to each of its members the initial responsibility for undertaking a detailed review of a specific State party report and for putting before the working group a preliminary list of issues. Each draft by a country rapporteur is revised and supplemented on the basis of observations by the other members of the working group and the final version of the list is adopted by the working group as a whole. This procedure applies equally to both initial and periodic reports. However, during its sixtieth session, the Committee decided not to use that procedure for long-overdue initial reports, with a view to avoiding further delays to the long-awaited dialogues, and given that a backlog no longer results in reports being out of date as the period between the submission of the report and dialogue is rather short. Reports submitted under the simplified reporting procedure will also not be considered by the pre-sessional working group.

29. In preparation for the meeting of the pre-sessional working group, the Committee has asked the secretariat to place at the disposal of its members all pertinent documents containing information relevant to each of the reports to be examined. For this purpose, the Committee invites all concerned individuals, bodies and NGOs to submit relevant and appropriate documentation to the secretariat.

30. The lists of issues drawn up by the working group are sent to the State party concerned.

2. Consideration of reports

31. In accordance with the established practice of the human rights treaty monitoring bodies, representatives of the reporting States should be present at the meetings of the Committee when their reports are examined, in order to ensure a constructive dialogue. The following procedure is generally observed: the representative of the State party is invited to introduce the report, making brief comments and providing any new information that may be relevant to the dialogue, then the Committee's rapporteur for the particular State party introduces the dialogue, giving a concise appreciation of the report, signalling gaps and advancing a set of initial questions. The Committee then considers the report by clusters of

[1] See *Official Records of the Economic and Social Council, 2009, Supplement No. 2* (E/2009/22-E/C.12/2008/3), annex VIII.

[2] Ibid., *1988, Supplement No. 4* (E/1988/14-E/C.12/1988/4), chap. IV, para. 361.

articles (usually articles 1–5, 6–9, 10–12 and 13–15), taking particular account of the replies furnished in response to the list of issues. In accordance with the new practice of appointing a task force for each State party report, the Committee members responsible for the clusters lead the dialogue. The Chair also invites questions or comments from other members of the Committee, then invites the representatives of the State party to reply to questions that do not require further reflection or information. Any remaining questions are taken up at the subsequent meeting or, if necessary, may be the subject of additional information provided to the Committee in writing within a given time frame. Members of the Committee are free to pursue specific issues in the light of the replies thus provided, but are expected to avoid repeating questions that have already been posed or answered and to refrain from speaking for more than five minutes in any one intervention.

32. The final phase of the examination of the report by the Committee consists of the drafting and adoption of its concluding observations. With the assistance of the secretariat, the country rapporteur prepares a draft set of concluding observations for consideration by the Committee, which is circulated for comments among the members prior to adoption. At a later stage, the Committee discusses the draft, in private session, with a view to adopting it by consensus.

33. The concluding observations, once formally adopted, are forwarded as soon as possible to the State party concerned and made public.

34. At its forty-sixth session, in May 2011, the Committee agreed, in principle and on a temporary basis, to devote only two meetings to the consideration of periodic reports, with a view to preventing the backlog of reports pending consideration from growing. Accordingly, at the sixtieth, sixty-first and sixty-second sessions, the Committee considered the periodic reports of Australia, Colombia, Liechtenstein, the Netherlands, the Republic of Korea, the Republic of Moldova, the Russian Federation, Sri Lanka and Uruguay, over two meetings only. The consideration of the initial report of Pakistan was allocated three meetings.

3. Comments by States parties on the concluding observations

35. Once adopted by the Committee, the concluding observations on the report of a State party and any comments submitted thereon to the Committee by the State party are made public, as submitted, and listed in the Committee's annual report. Comments from States parties are published for information purposes only.

36. During the reporting period, the Committee received comments from Cyprus and the Philippines, regarding their reports considered in 2016 and 2017, respectively.

4. Postponement of the consideration of reports

37. Last-minute requests by States to postpone the consideration of reports that have been scheduled for examination at a particular session are extremely disruptive for all concerned and have, in the past, caused major problems for the Committee. Accordingly, the long-standing policy of the Committee is not to grant such requests and to proceed with its consideration of all scheduled reports, even in the absence of a representative of the State party concerned.

38. In exceptional situations, including related to force majeure such as natural disasters, the Committee will agree to a postponement of the dialogue. This was the case with the consideration of Mexico, originally scheduled for the sixty-second session, and postponed owing to the earthquake that struck Mexico, with devastating consequences.

D. Follow-up procedure in relation to the consideration of reports

39. The follow-up procedure decided on by the Committee at the 53rd meeting of its twenty-first session, held on 1 December 1999,[3] has already been applied in relation to two States parties and the Committee considers the experience to have been very positive in both instances.

40. During its fifty-ninth session, the Committee decided to reconsider its follow-up procedure taking into account the working methods of the other treaty bodies and based on its experience relating to the implementation of its concluding observations. The Committee continued to discuss the follow-up of its concluding observations at its sixtieth and sixty-first session and agreed to adopt a follow-up procedure.

41. The follow-up procedure, as outlined in the note on the procedure for follow-up to concluding observations was adopted at the sixty-first session. The note is contained in annex I to the present document. The Committee has thus included a paragraph on written follow-up to concluding observations in its recommendations to the States parties considered at the sixty-first session.

42. The Committee has appointed Sandra Liebenberg as the rapporteur on follow-up to concluding observations for the next two years.

E. Procedure in response to non-reporting States parties and considerably overdue reports

43. Considering that persistent non-reporting by States parties undermines the foundations of the Covenant, at its thirty-sixth session, the Committee adopted a procedure to deal with non-reporting States parties and long-overdue reports.[4]

44. At its fifty-ninth session, the Committee discussed the situation of non-reporting States and long-overdue reports, which it considers a serious issue. The Committee decided to devote one meeting during its sixtieth session to that specific issue, in consultation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the States parties concerned, to the extent possible, in order to assess how best to encourage and support States in fulfilling their reporting obligations under the Covenant.

45. At its sixtieth session, on 23 February 2017, the Committee invited all long-overdue non-reporting States to discuss the challenges they faced. The Committee is aware that the capacity-building programme, established pursuant to General Assembly resolution 68/268, has already given support to those States to build capacity in that regard. The Committee notes that three such reports have now been submitted (Bangladesh, Central African Republic and the Niger) and will be considered without an additional list of issues.

F. Submission of several reports in one document

46. At the 55th meeting of its thirty-seventh session, held on 22 November 2006, the Committee reviewed the situation of overdue reports, including recent submissions of several long-overdue reports, and decided that it would accept from States parties that had never submitted a report under the Covenant, a one-time submission of up to three reports consolidated in a single document, in order to bring them up to date with their reporting obligations, and that the consolidated report should contain a general overview of important developments relating to the implementation of the Covenant over the entire period covered by the report and present up-to-date detailed information on the present situation.

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[3] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), paras. 38–39.

[4] See E/2007/22, para. 42.

47. At the 28th meeting of its forty-eighth session, held on 18 May 2012, the Committee reviewed the situation regarding combined reports and decided that the combined reports would be considered as one report. The Committee also decided to specify the due date of the State party's next periodic report at five years following the date on which the Committee adopts its concluding observations, instead of every five years as of the submission of the initial report, irrespective of the date of submission of the last report. This was a temporary measure to take into account the delays caused by the significant backlog of reports pending consideration, which has now been resolved.

G. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than States parties

1. Information provided in connection with the Committee's consideration of a State party report

48. The Committee takes into account information provided to it by sources other than the State party, in connection with its consideration of a State party report. That information, being an integral part of the constructive dialogue with a State party, is made available by the Secretariat to the State party concerned through the OHCHR web page, in advance of the Committee's consideration of the State party's report.

2. Information received following consideration by the Committee of a State party report and adoption of concluding observations

49. On various occasions in the past, the Committee has received information, mainly from NGOs, after consideration of a State party report and adoption of concluding observations thereon. In practice, this has generally been follow-up information on the conclusions and recommendations of the Committee. Not being in a position to consider and act upon such information without reopening its dialogue with a State party, the Committee will consider information received from sources other than a State party only in cases where such information has been specifically requested in its concluding observations.

50. The Committee considers that, following its consideration of a State party report and the adoption of its concluding observations, the primary responsibility for their implementation lies with the State party, which is bound to report to the Committee in its next periodic report on the measures taken in this respect. The Committee therefore recommends that the information referred to in the preceding paragraph be submitted directly to the competent national authorities with a view to assisting them in implementing the concluding observations of the Committee.

3. Information provided with respect to non-reporting States parties

51. The Committee has also received information from international and national NGOs on the status of the implementation of economic, social and cultural rights by:

(a) States parties that have not submitted a report since their ratification of the International Covenant on Economic, Social and Cultural Rights and its entry into force;

(b) States parties with long-overdue periodic reports.

52. In both cases, the failure of States parties to comply with their obligations under the Covenant and, in particular, with their reporting obligations, has made it impossible for the Committee to monitor effectively the implementation by those States of the economic, social and cultural rights set forth in the Covenant, in accordance with the mandate conferred on the Committee by the Economic and Social Council.

53. At its thirtieth session, in May 2003, the Committee, in a spirit of open and constructive dialogue with States parties, decided that, in both the cases referred to above, the Committee may, through a letter from the Chair, bring to the attention of the State party concerned the information received and urge the State party to submit its overdue report

without further delay and to address therein the issues raised in the submissions of NGOs. That letter would also be made available to the NGOs concerned, upon request.

H. Day of general discussion

54. The Committee may decide to devote one day of a session to a general discussion of a particular right or aspect of the Covenant. The purpose is threefold: such a general discussion assists the Committee in developing in greater depth its shared understanding of the issue under discussion; it enables the Committee to encourage inputs into its work from all interested parties; and it helps the Committee to lay the basis for a future general comment or provide the opportunity to discuss a draft general comment.

55. At its sixtieth session, the Committee held a day of general discussion during its sixtieth session on the draft general comment on State obligations under the Covenant in the context of business activities. The day of general discussion was held on Tuesday, 21 February 2017.

56. The day of discussion brought together over 100 participants, who shared their views on the draft general comment, many having provided written input in advance. The participants included representatives of 19 States, as well as regional organizations, including the European Union and the Council of Europe, the International Labour Organization, national human rights institutions, civil society organizations, trade unions, business, corporate lawyers, human rights lawyers, researchers and academics. The day provided a space where different views were exchanged and contributed to clarifying the binding obligations of States vis-à-vis business activities under the Covenant and the relationship between State obligations and the role and impact of the business sector on the implementation of economic, social and cultural rights. It was an opportunity to highlight the importance of the general comment to bridge protection gaps in the existing international norms and principles and to provide States with guidance. The Committee is grateful to those who facilitated the participation of discussants from various regions.

I. Other consultations

57. The Committee has sought to coordinate its work with that of other bodies to the greatest extent possible and to draw as widely as it can on available expertise in the fields of its competence. The Committee has also sought to draw on the expertise of relevant United Nations specialized agencies and bodies, special procedure mandate holders of the Human Rights Council and Chairs and members of working groups and other bodies of the Council.

58. During its sixtieth session, on 23 February 2017, the Committee held an informal meeting with non-reporting States. The purpose of the meeting was to engage directly with the States in an effort to better understand the challenges faced in the reporting process. OHCHR provided information on the new capacity-building programme emanating from resolution 68/268, and States that had not yet done so were encouraged to avail themselves of the support offered by the programme. Furthermore, the Committee facilitated the process by deciding to consider the reports as soon as possible, without asking the States for additional information through a list of issues.

59. On 22 February 2017, Committee members attended an informal lunchtime briefing with representatives of the American Association for the Advancement of Science and the American Sociological Association. This was held in the context of the preparatory work for a draft general comment related to the right to science.

60. Also on 22 February 2017, at the initiative of the NGO FIAN, the Committee held informal discussions with civil society partners in the context of the preparatory work on a draft general comment related to land and economic, social and cultural rights.

61. During its sixty-first session, on 21 June 2017, the Committee held an informal meeting with States for the purpose of maintaining an ongoing dialogue and to discuss

issues of common concern and interest. The Committee gave an update on the follow-up procedure and its work on general comments and statements, among other issues. Finally, the Committee gave an overview of its work with regard to communications submitted under the Optional Protocol to the Covenant. The Committee also responded to questions from States.

62. During its sixty-first and sixty-second sessions, the Committee held the below informal meetings.

63. On 30 May 2017, Committee members held an informal meeting with the Chair of the Global Alliance for National Human Rights Institutions to discuss ways to enhance cooperation and coordination with national human rights institutions and to hear requests that the institutions may have in that regard. The Committee places great importance on direct engagement with such institutions and their work at the national level to support the promotion and protection of economic, social and cultural rights.

64. On 6 June 2017, in the context of the Swiss platform for treaty body members, the Geneva Academy hosted a discussion for members of the Committee and the Committee on the Rights of the Child to discuss issues related to the right to health. The discussion was organized in the context of the Global Strategy for Women's, Children's and Adolescents' Health (2016–2030) and on the occasion of the launch of the report of the High-level Working Group on Health and Human Rights of Women, Children and Adolescents. The United Nations Deputy High Commissioner for Human Rights introduced the report and its key recommendations, stressing the importance of identifying potential opportunities for the Committees and the complementarity of their work and the initiatives.

65. On 2 October 2017, the Committee participated in an informal meeting on climate change which was organized and led by the following stakeholders: Center for International Environmental Law, Friedrich-Ebert-Stiftung, Earthjustice, Global Initiative for Economic, Social and Cultural Rights and Franciscans International. The meeting was organized with a view to providing an update on critical or emerging issues in the field of climate change and human rights, both in the context of the United Nations Framework Convention on Climate Change and the various human rights mechanisms, and to discuss synergies and links with the Covenant.

J. Participation of non-governmental organizations in the work of the Committee

66. In order to ensure that it is as well informed as possible, the Committee provides opportunities for NGOs to submit relevant information to it.[5] They may do so in writing, at any time prior to the consideration of the report of a given State party. The pre-sessional working group also accepts the submission of information in person or in writing from any NGO, provided that it relates to matters on the agenda of the working group. In addition, as of November 2012, the Committee sets aside part of the first Mondays of each of its sessions for representatives of NGOs to provide information orally. Such information should: (a) focus specifically on the provisions of the Covenant; (b) be of direct relevance to matters under consideration; (c) be credible; and (d) not be abusive. The relevant meeting is open to the public and is provided with interpretation and press services.

67. The Committee has requested the secretariat to ensure that written information formally submitted to it by NGOs in relation to the consideration of a specific State party report is made available as soon as possible to the representatives of the State party concerned. Prior to a session, this is normally done by posting it on the OHCHR website. The Committee therefore assumes that if any of this information is referred to during the dialogue with the State party, the latter will already be aware of the information.

[5] See *Official Records of the Economic and Social Council, 2001, Supplement No. 2* (E/2001/22-E/C.12/2000/21), annex V.

K. General comments

68. In response to an invitation addressed to it by the Economic and Social Council, the Committee had, as from its third session, begun preparing general comments on the various rights and provisions of the Covenant, in particular with a view to assisting States parties in fulfilling their obligations under the Covenant. At its sixty-first session, the Committee adopted general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities. The adoption of the general comment followed broad consultations including not only a large number of States, but also academic research institutes and civil society organizations, as well as international organizations such as the Council of Europe and the International Labour Organization, and business representatives.

69. The general comment provides an authoritative interpretation of the duties of States parties and defines States' duties, based on the experience gained by the Committee in the examination of State reports. In it, the Committee confirms that States also have duties that reach beyond their national territories: they should control private actors over which they can exercise control, consistent with general international law, in order to prevent such actors from infringing on human rights in foreign territories. The Committee takes the view that States should regulate corporations that are domiciled in their territory and/or jurisdiction. This refers to corporations that have their statutory seat, central administration or principal place of business on their national territory.

70. In practice, the Committee expects home States of transnational corporations to establish appropriate remedies, guaranteeing effective access to justice for victims of business-related human rights abuses in a transnational context. The Committee also emphasizes that States parties to the Covenant should ensure corporate strategies do not undermine the efforts of the States in which they operate to fully realize the Covenant rights.

71. On the closing day of the sixty-first session, the Committee held a press conference through which it endeavoured to introduce the general comment to the public by responding to queries from journalists.

72. As at 6 October 2017, the Committee had adopted 24 general comments (see www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

73. Through its general comments, the Committee endeavours to make the experience gained through its examination of State party reports available for the benefit of all States parties, in order to assist and promote further implementation of the Covenant; draw the attention of States parties to inadequacies disclosed by a large number of reports; suggest improvements in the reporting procedures; and encourage States parties, international organizations and United Nations specialized agencies concerned to achieve progressively and effectively the full realization of the rights recognized in the Covenant. Whenever necessary, the Committee may, in the light of the experience of States parties and the conclusions drawn therefrom, revise and update its general comments.

74. At its twenty-first session, the Committee adopted the outline for drafting general comments on specific rights enshrined in the Covenant.[6] The Committee agreed that the subject matter of a particular general comment would influence its overall structure and observed that the outline was not intended to be strictly adhered to. However, the outline provides useful signposts and a checklist of issues to be considered in the process of drafting a general comment. In this respect, the outline would assist in ensuring consistency in the content, format and ambit of general comments to be adopted by the Committee. The Committee emphasized the importance of ensuring that general comments were reader-friendly, of reasonable length and readily understandable by a broad range of readers, in particular States parties to the Covenant. The outline would also assist in ensuring consistency and clarity in the structure of the general comments, thus promoting their

[6] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), annex IX.

accessibility and strengthening the authoritative interpretation of the Covenant provided by the Committee through its general comments.

L. Statements and letters adopted by the Committee

75. With a view to assisting States parties to the Covenant, the Committee adopts statements to clarify and confirm its position with respect to major international developments and issues with a bearing on the implementation of the Covenant.

76. On 24 February 2017, the final day of the sixtieth session, the Committee adopted a statement on the duties of States towards refugees and migrants under the Covenant (E/C.12/2017/1). In the statement, the Committee recalled the guarantees provided by the Covenant, including in the context of discussions at the global level, leading to the adoption in 2018 of a global compact on refugees and a global compact for safe, orderly and regular migration. The Committee, among other issues, once again highlighted the prohibition of discrimination on grounds of nationality or legal status, stressing that protection from discrimination cannot be made conditional upon having regular status in the host country, and noting the particular vulnerability faced by asylum seekers and undocumented migrants. The Committee also stressed the importance of data collection and international cooperation, among other issues.

77. As at 6 October 2017, the Committee had adopted 25 statements. The Chair of the Committee has also addressed open letters to States parties to the Covenant on issues of particular interest, such as economic, social and cultural rights and the economic and financial crisis and related austerity measures, and the post-2015 development agenda (see www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

Chapter III
Submission of reports by States parties under articles 16 and 17 of the Covenant

78. In accordance with rule 58 of its rules of procedure, the Committee, at its 48th meeting, on 18 September 2017, considered the status of submission of reports under articles 16 and 17 of the Covenant.

79. In that connection, the Committee had before it the following documents:

(a) Note by the Secretary-General on the revised general guidelines regarding the form and contents of reports to be submitted by States parties (E/C.12/2008/2);

(b) Note by the Secretary-General on the status of submission of reports by States parties to the Covenant as at 11 July 2016 (E/C.12/62/2).

80. The Secretary-General informed the Committee that, in addition to the reports scheduled for consideration by the Committee at its sixty-first and sixty-second sessions (see paras. 81, 82 and 83 below), between 8 October 2016 and 6 October 2017, he had received reports submitted under articles 16 and 17 of the Covenant from the following States parties: Argentina, Bangladesh, Central African Republic, Estonia, Germany, Kazakhstan, Mauritius, New Zealand, Slovakia, South Africa, Spain, Niger and Turkmenistan.

Chapter IV
Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant

81. At its sixty-first session, the Committee examined the following reports submitted by States parties under articles 16 and 17 of the Covenant.

Combined second to third periodic reports	
Liechtenstein	E/C.12/LIE/2-3
Fifth periodic report	
Australia	E/C.12/AUS/5
Sri Lanka	E/C.12/LKA/5
Uruguay	E/C.12/URY/5
Sixth periodic report	
Netherlands	E/C.12/NLD/6

82. At its sixty-second session, the Committee examined the following reports submitted by States parties under articles 16 and 17 of the Covenant.

Third periodic report	
Republic of Moldova	E/C.12/MDA/3
Fourth periodic report	
Republic of Korea	E/C.12/KOR/4
Sixth periodic report	
Colombia	E/C.12/COL/6
Russian Federation	E/C.12/RUS/6

83. At its eighth session, the Committee decided to discontinue its practice of including in its annual report summaries of its consideration of State party reports. Instead, reference is made to the relevant summary records of the meetings at which the reports were considered. The Committee adopted concluding observations on each report considered. The concluding observations listed below are available from the official document system of the United Nations. In accordance with established practice, members of the Committee do not participate in the dialogue with the delegation nor the drafting or the adoption of the concluding observations relating to the report of their own country.

Sixty-first session concluding observations

State party	*Symbol*
Australia	E/C.12/AUS/CO/5
Liechtenstein	E/C.12/LIE/CO/2-3
Netherlands	E/C.12/NLD/CO/6
Pakistan	E/C.12/PAK/CO/1
Sri Lanka	E/C.12/LKA/CO/5
Uruguay	E/C.12/URY/CO/5

Sixty-second session concluding observations

State party	*Symbol*
Colombia	E/C.12/COL/CO/6
Republic of Korea	E/C.12/KOR/CO/4

State party	*Symbol*
Republic of Moldova	E/C.12/MDA/CO/3
Russian Federation	E/C.12/RUS/CO/6

Chapter V
Activities of the Committee under the Optional Protocol

A. Progress of work concerning individual communications submitted to the Committee

84. At the time of adoption of the present report the Committee had registered 22 communications pursuant to the Optional Protocol since its entry into force. At present, the status of the communications registered is as follows:

(a) Consideration concluded by the adoption of Views under article 9 (1) of the Optional Protocol: 3, including 1 in which no violation was found;

(b) Declared inadmissible: 12;

(c) Discontinued or withdrawn: 2;

(d) Not yet concluded: 5.

85. At its sixtieth session, the Committee considered inadmissible the communications *A.C.G. et al v. Spain* (E/C.12/60/D/17/2016); and *F.M.B. et al v. Spain* (E/C.12/60/D/18/2016);, and discontinued the communication *C.D.V. et al v. Spain* (E/C.12/60/D/15/2016). At its sixty-first session, the Committee adopted its Views on the merits in respect of the communication *Ben Djazia and Bellili v. Spain* (E/C.12/61/D/5/2015), declared inadmissible the communication *Coelho v. Portugal* (E/C.12/61/D/21/2017), and discontinued the communication *F.J.T.L. v. Spain* (E/C.12/61/D/16/2016). At its sixty-second session, the Committee considered the admissibility of the communication *Alarcón Flores et al v. Ecuador* (E/C.12/62/D/14/2016) and declared it inadmissible.

86. At its sixtieth session, the Committee decided to keep the composition of the working group on communications to a six-member working group, having at least one member from each regional group, as follows: Mr. Abdel-Moneim, Ms. Craciunean-Tatu, Mr. De Schutter, Ms. Liebenberg, Mr. Uprimny and Mr. Windfuhr. Mr. Uprimny was elected as Chair-Coordinator of the working group.

87. At the sixtieth, sixty-first and sixty-second sessions, the Chair-Coordinator of the working group on communications, Mr. Uprimny, reported on the activities of the working group. In total, during the period under review, the working group on communications held six meetings outside the plenary and discussed issues related to the Committee's work under the Optional Protocol.

88. The decisions on these communications have allowed the Committee to clarify some of the main normative aspects of the Optional Protocol. In relation to the admissibility, the Committee has explained the scope of the rule of exhaustion of domestic remedies and when a communication should be considered as not sufficiently substantiated or as been examined under another procedure of international investigation or settlement. The Committee has also clarified the extent of its competence *ratione temporis* and the meaning of article 4, which allows the Committee to decline to consider a communication where it does not reveal that the author has suffered a clear disadvantage. The Committee has also elucidated the procedural implications of the presentation of a communication not by a single person but by a group of individuals and the possibility of third party interventions and its scope. In the communications decided on the merits, the Committee developed the content of the principle of article 8, according to which the Committee shall consider the reasonableness of the steps taken by the State Party for the realization of Covenant rights.

The Committee has also explained that, when a violation of a Covenant right is found, the recommendations to the State party might also be general when that is necessary as a guarantee of non-repetition. Thanks to this work, individuals and States parties can now rely on a robust jurisprudence on the meaning of the Protocol.

B. Follow-up to the Committee's Views on individual communications

89. The two cases currently under follow-up examination are *I.D.G. v. Spain* (E/C.12/55/D/2/2014) and *Ben Djazia and Bellili v. Spain* (E/C.12/61/D/5/2015).

90. At its sixty-first session, the Committee adopted the working methods concerning its follow-up to Views under the Optional Protocol (see annex II).

Chapter VI
Substantive issues arising from the implementation of the Covenant

91. In addition to its ongoing work on general comments and statements (see paras. 68–77 and 99), the Committee continued to reflect on issues that affect its work. As the official meeting time allocated to the Committee offers limited space for in-depth substantive discussion, members have also reached out to partners in order to garner their support in creating the space for and facilitating such discussions. They also conduct background research themselves, or with the support of OHCHR, whose capacities are increasingly limited.

A. Cooperation with specialized agencies

92. Throughout 2017, the Committee discussed renewing cooperation between the United Nations Educational, Scientific and Cultural Organization (UNESCO) Committee on Conventions and Recommendations regarding the practical aspects of the right to education in the context of Goal 4 of the Sustainable Development Goals. The Committee has also expressed the desire to enhance cooperation with other parts of UNESCO.

93. As mentioned above (see para. 64), a discussion on the right to health was held on 6 June 2017 for members of the Committee and the Committee on the Rights of the Child. The Deputy High Commissioner for Human Rights introduced the report of the High-level Working Group on Health and Human Rights of Women, Children and Adolescents and its key recommendations.

94. On 15 June 2017 the Committee met with the Chair of the Open-ended intergovernmental working group on the rights of peasants and other people working in rural areas, Nardi Suxo Iturry, who has chaired the working group since May 2016. The purpose of the meeting was to learn more about the work of the working group and the draft declaration and to discuss modalities of cooperation. This was particularly of interest to the Committee in the context of its work on a draft general comment related to land and economic, social and cultural rights to discuss issues of common interest and concern and to consider modalities of cooperation.

B. Cooperation with special procedure mandate holders

95. On 9 June 2017 the Committee met with Vitit Muntabhorn, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. The Independent Expert introduced this new mandate established in 2016, and outlined the working methods of the mandate as well as activities undertaken to date. He also highlighted some of the elements that are linked closely to the root causes of discrimination and violence against lesbian, gay, bisexual and transgender communities, which are also commonly raised by the Committee in its dialogues with States.

96. During its sixty-second session, on 27 September 2017, the Committee met with Catalina Devandas Aguilar, the Special Rapporteur on the rights of persons with disabilities. The Committee took the opportunity to familiarize itself with the work of the Special Rapporteur and some concepts that are still quite new and not always fully understood by States or other stakeholders. In particular, the concept of "reasonable accommodation" was discussed, among others. A rich discussion ensued and highlighted the usefulness of the discussion and interest of the Committee to continue such engagement.

97. On 28 September 2017, the Working Group on the issue of human rights and transnational corporations and other business enterprises met with the Committee. The obvious links between the work of the two bodies presented an excellent opportunity for an update on the recent work and plans of the Working Group. With the recent adoption by the Committee of general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities, it was also interesting to hear how the working group could make use of the general comment.

Chapter VII
Additional decisions adopted and matters discussed by the Committee at its sixtieth, sixty-first and sixty-second sessions

A. Participation in intersessional meetings

98. Members of the Committee continued to participate in, and/or contribute in different capacities to, initiatives for a better understanding and implementation of the Covenant, taken by different stakeholders. Requests for such participation are addressed to the Committee through the Chair, to members directly or through the secretariat.

B. Future general comments and statements

99. Work on general comments continued at the sessions. The members worked individually on various drafts that are being prepared, and have been updated on the progress in that regard.

C. Working methods of the Committee

100. The Committee discussed certain aspects of its working methods, in the light of the adoption by the General Assembly of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, on 9 April 2014.

101. As agreed at its fifty-second and fifty-third sessions, with a view to piloting the simplified reporting procedure for States whose third periodic reports were due in 2017, the Committee sent notes verbales to nine States offering them the possibility of availing themselves of that procedure. As at 9 October 2015, four of those nine States had responded. It is noteworthy that several other States have requested the possibility of availing themselves of the procedure. Consequently, at its fifty-seventh session, the Committee adopted lists of issues prior to reporting for three States parties whose reports were due in 2017. Two of the reports were received in 2017 and are scheduled for consideration at the sixty-third session.

102. At its fifty-seventh session, the Committee decided to pilot the use of a task force — a designated group of members — to lead the dialogue with a State party. The decision was taken in an effort to move towards an aligned methodology for the constructive dialogue and to enhance coordination in order to maximize the use of the time available, render the dialogue more effective and foster a more interactive and productive dialogue with States parties, pursuant to General Assembly resolution 68/268.

103. The pilot phase proved to be effective and efficient. The Committee thus decided to generalize the use of task forces for all the dialogues with States parties. As far as possible, each task force is formed based on the thematic expertise, geographic distribution and linguistic aptitude of Committee members. The Committee further discussed and fine-tuned this approach at its sessions, with a view to maximizing the use of the time available for the delegations to provide oral responses to its questions.

104. Regarding the time allocated for briefings, the Committee agreed to allow time for interaction with civil society, United Nations bodies and other partners on the first day of the week or of the first two or three weeks of each session, as the case may be, owing to the larger number of reports to be considered during each session and in accordance with the practice followed by other treaty bodies. The Committee is of the view that this will contribute to increasing the impact of the reporting process at the national level through the increased engagement of national-level stakeholders before and after its consideration of State party reports.

Chapter VIII
Other activities of the Committee in 2017

105. Members of the Committee engaged in activities organized in the margins of and between sessions. Those activities were often organized at the initiative of the members themselves or of various stakeholders, including notably States, national human rights institutions, NGOs and academia.

Chapter IX
Adoption of the report

106. At its 78th meeting, held on 6 October 2017, the Committee considered its draft report to the Economic and Social Council on the work of its sixtieth, sixty-first and sixty-second sessions. The Committee adopted the report as amended during the discussions.

Annex I

Note on the procedure for follow-up to concluding observations*

1. At its twenty-first session, the Committee adopted procedures for follow-up action. It decided that, where appropriate, the Committee may, in its concluding observations, make a specific request to a State party to provide more information or statistical data at a time prior to the date that the next periodic report is due to be submitted and/or, where appropriate, the Committee may, in its concluding observations, ask the State party to respond to any pressing specific issue identified with the concluding observations prior to the date that the next report is due to be submitted.[1]

2. The Committee views the follow-up action as an integral part of the review process aimed at further enhancing the enjoyment of economic, social and cultural rights and enabling civil society, non-governmental organizations (NGOs) and human rights defenders in that regard. The present note aims to elaborate on updated procedures for follow-up action, to be initiated from the sixty-first session, on a pilot basis.

Rapporteur for follow-up to concluding observations

3. The Committee appoints a rapporteur on follow-up to concluding observations, in charge of the procedure, for a one-year term.

Number of selected recommendations, criteria for selection and reply by the State party

4. Taking into account the views expressed by the State party during the dialogue and based on its own assessment, the Committee selects up to three recommendations from its concluding observations that will be included in the follow-up procedure. The criteria for that selection are that the selected recommendations require urgent action and that they should be attainable within a period of 18 months. The State party is required to respond to the selected recommendations within 18 months. Its replies will constitute the follow-up report and will be made public on the web page of the Committee.

Guidance on the drafting of follow-up reports by States parties

5. The follow-up report shall be concise, focused and not exceed a maximum length of 3,500 words. It shall include information on the concrete measures taken by the State party in response to the selected recommendations. It shall be submitted by email in Microsoft Word format and in one of the official languages of the United Nations to cescr@ohchr.org.

Guidance on the submission of information related to the follow-up by national human rights institutions, NGOs and other organizations

6. National human rights institutions, NGOs and other civil society organizations can submit information related to the follow-up, as they do for the reporting procedure. The information should be presented in a concise manner, with a maximum length of 3,500 words. It shall be submitted by email in Microsoft Word format to cescr@ohchr.org. The

* Adopted by the Committee at its sixty-first session (29 May–23 June 2017).

[1] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), para. 38.

information should be sent within 18 months of the adoption of the concluding observations or, at the latest, one month after the State party's follow-up report is made public. These submissions shall be made public.

Action taken in response to States parties replies

7. The rapporteur on follow-up to concluding observations, working in close cooperation with the country rapporteur and the pre-sessional working group, when possible, will assess whether the information provided by the State party in the follow-up report responds to the Committee's concerns and recommendations, and report on that to the Committee.

8. The Committee will discuss in a private meeting the progress made by the State party in response to its recommendations.

9. The Chair will transmit the Committee's assessment to the State party concerned within three weeks of the closure of the session at which the State party's follow-up report has been discussed, and the assessment will thereafter be made public on the Committee's website.

10. States parties that are subject to the follow-up procedure will be indicated in the Committee's annual report to the Economic and Social Council.

Assessment by the Committee

11. According to the information in the follow-up reports, the Committee will assess the progress made by States parties to respond to each recommendation as follows:

- "Sufficient progress" when the State party has taken significant action in response to the recommendation; this will be acknowledged by the rapporteur on follow-up
- "Insufficient progress" when the State party has taken some steps in response to the recommendation but needs to take further actions; in this case, the rapporteur on follow-up shall request that the State party provide additional information in its next periodic report
- "Lack of sufficient information to make an assessment"; in this case, the rapporteur on follow-up shall request that the State party provide information on the measures taken in its next periodic report
- "No response" if the State party does not provide any information in response to the recommendation; in this case, the recommendation will be considered as a priority during the next dialogue

Subsequent periodic reports

12. When the Committee considers the next periodic report of a State party, a new cycle for the follow-up procedure will commence. The information regarding follow-up from the previous reporting round shall be systematically integrated in the reporting process.

Assessment of the follow-up procedure

13. The Committee will assess the follow-up procedure after four years.

Annex II

Working methods concerning the Committee's follow-up to Views under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*

Introduction

1. The present working methods set out the general framework for follow-up by the Committee on Economic, Social and Cultural Rights to the recommendations it makes in its Views expressed pursuant to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

2. In accordance with article 9 of the Optional Protocol, the State party concerned shall give due consideration to the Views and recommendations of the Committee and shall submit to the Committee within six months a written response, including information on any action taken in the light of those Views and recommendations. The Committee may invite the State party to submit further information. According to rule 18 (7) of the provisional rules of procedure under the Optional Protocol (E/C.12/49/3), the Committee may seek information from the author(s) and victim(s) of the communication and other relevant sources.

Working methods

3. In its follow-up procedure to its Views, adopted in accordance with article 9 of the Optional Protocol, the Committee shall consider recommendations relating to the victim(s) and general recommendations, as follows:

(a) Individual measures (i.e. recommendations for the victim) are to be followed up until the Committee decides to close the procedure, which may take several years. In addition, in accordance with article 9 (3) of the Optional Protocol, the Committee may decide to invite the State party concerned to provide information on the measures taken to redress the victim(s) of a violation of the Covenant in the framework of the periodic report. It should be noted that the Human Rights Committee has developed a standard question for the list of issues used in the review of States' periodic reports concerning States that are parties to the Optional Protocol, whereby States are asked to provide information on the existing machinery and the measures taken to give effect to the Views.

(b) General recommendations are to be considered under the follow-up procedure to Views, under the Optional Protocol, until the examination of the next periodic report of the State party concerned. After that, the Committee shall follow up on the issue(s) in the framework of the State party's periodic report and the follow-up to its concluding observations. The purpose of this measure is to avoid duplication of the Committee's work and to use the Secretariat's resources in assisting the Committee in the most efficient manner.

4. The procedure shall operate as follows:

(a) In accordance with article 9 (2) of the Optional Protocol, the State party concerned is given six months to provide information on the steps taken to give effect to the recommendations listed in the Committee's Views;

* Adopted by the Committee at its sixty-first session (29 May–23 June 2017).

(b) The State party's submission shall be transmitted to the author(s) of the communication for comments within two months, unless the working group decides otherwise;

(c) The working group, acting on behalf of the Committee, shall assess the information provided by the parties. It may request further information or clarification from the State party or the author/alleged victim, in relation to the recommendations concerning the victim(s) or general recommendations. In addition, the working group may hold meetings with State party's representatives (e.g., the Permanent Mission in Geneva);

(d) A report prepared by the working group will be submitted on an annual basis to the Committee's plenary with an assessment of the measures taken by the State party concerned and recommended action. For the time being, it is recommended not to use precise assessment criteria (see annex I, para. 4, above), but to draft a conclusion tailored to the particular circumstances of each case and recommendation.

Publicity

5. Article 9 of the Optional Protocol does not indicate that the follow-up procedure is carried out on a confidential basis. Therefore, as is the case of the other treaty bodies, it should be considered public. Against that backdrop, the Committee may decide to upload to its website the submissions it receives from the States parties, authors or other entities, taking into account the following:

(a) This measure will give more visibility and transparency to the follow-up procedure and make more visible the State party's engagement with the Optional Protocol and facilitate its scrutiny;

(b) The Committee shall request the author's consent;

(c) The Committee may need to ensure that the author's identity/address and/or the information concerning the recommendation in favour of the victim(s) is not disclosed.

6. Alternatively, the Committee may decide to include summaries of the submissions in its report on follow-up to Views. Nevertheless, this alternative may reduce the visibility of the follow-up procedure to Views and affect the possible participation of national human rights institutions or civil society.

Participation of national human rights institutions and civil society entities

7. The Committee may allow national human rights institutions or civil society entities to participate in the follow-up procedure by way of providing the Committee with information concerning the implementation of general recommendations.

8. After the State party provides its observations on the measures taken to give effect to the general recommendations of a Committee's Views, the Committee may accept submissions by national human rights institutions and civil society entities concerning information about the general recommendations. In that case, submissions will be transmitted to the State party for comments. Such information will be taken into account in the Committee's assessment of the State party's implementation of the recommendations contained in the Views.

Responsibility for follow-up

9. The Committee may decide to appoint one or more members as rapporteur(s) on follow-up to Views. Alternatively, this task may be carried out by the working group temporally, until the Committee has more cases in the follow-up phase.

Annex III

Members of the Committee

Name	*Nationality*	*Term expires on 31 December*
Aslan **Abashidze**	Russian Federation	2018
Mohamed **Abdel-Moneim** (Vice-Chair)	Egypt	2020
Clement **Atangana**	Cameroon	2018
Maria-Virginia **Bras Gomes** (Chair)	Portugal	2018
Shiqiu **Chen**	China	2020
Laura Maria **Craciunean-Tatu**	Romania	2020
Chandrashekhar **Dasgupta**	India	2018
Olivier **de Schutter**	Belgium	2018
Zdzislaw **Kedzia** (Vice-Chair)	Poland	2020
Azzouz **Kerdoun**	Algeria	2018
Sandra **Liebenberg**	South Africa	2020
Mikel **Mancisidor de la Fuente**	Spain	2020
Lydia **Ravenberg** (Rapporteur)	Suriname	2020
Waleed **Sadi**	Jordan	2020
Heisoo **Shin** (Vice-Chair)	Republic of Korea	2018
Rodrigo **Uprimny**	Colombia	2018
Michael **Windfuhr**	Germany	2020
Renato **Zerbini Ribeiro Leão**	Brazil	2018